

TTAB

Attorney Ref. No. 27471.007

TRADEMARK LAW OFFICE 101
Serial No. 78/934,642
Mark: CARMINE'S (STYLIZED)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of :
Carmine's Broadway Feast Inc. :
Serial No. 78/934,642 :
Filed: July 21, 2006 :
For Mark: CARMINE'S (stylized) :
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NOTICE OF APPEAL

Commissioner for Trademarks
Box TTAB
P.O. Box 1451
Alexandria, Virginia 22313-1451

Applicant hereby appeals to the Trademark Trial and Appeal Board from the decision of the examining attorney dated October 3, 2008 refusing registration.

This notice of appeal is accompanied by a copy of Applicant's response to the Examining Attorney's Office action of October 3, 2008. Applicant respectfully requests that this appeal be suspended and that the case be remanded to the Examining Attorney for consideration of Applicant's response.

04/07/2009 SWILSON: 00000004 78934642

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04-03-2009

U.S. Patent & Trademark Office Form 1001, Rev. 10-2008

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451 on

April 3, 2009
(Date of Deposit)

Phyllis Buchatler
(Print name)

(Signature)

Applicant encloses herewith a check for \$100 in payment of the prescribed appeal fee.

Dated: New York, New York
April 3, 2009

Respectfully submitted,

COWAN, LIEBOWITZ & LATMAN, P.C.
Attorneys For Applicant

By: _____

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